

**CITY OF BROKEN ARROW  
PLANNING COMMISSION MEETING  
MINUTES  
November 6, 2003**

The Planning Commission Agenda for this meeting was posted on October 31, 2003, at 10:30 a.m. on the City Hall Bulletin Board, 220 S. First Street.

1. The Broken Arrow Planning Commission met on Thursday, November 6, 2003, at 5:02 p.m.

2. Present: Robert Goranson, Chairman  
Renate Caldwell, Vice Chairperson  
Johnnie Parks, Commission Member  
Ricky Jones, Commission Member

Absent Mike Lester, Commission Member

Staff Present: Farhad K. Daroga, City Planner  
Brent Murphy, Assistant City Planner  
Karl Fritschen, Staff Planner  
Joyce Snider, Admin Ass't  
April Parnell, Ass't City Attorney  
Jeff Westfall, Engineering Dept  
Allen Stanton, Chief Building Inspector

3. The Commission considered the minutes of the regular Planning Commission meeting held October 23, 2003. **Motion** by Johnnie Parks to approve the October 23, 2003, minutes as presented. The motion was seconded by Ricky Jones.

Yes: Jones, Parks, Caldwell, Goranson

No: None

**Motion Approved**

4. The Commission considered the Consent Agenda. Farhad Daroga reviewed each item on the Consent Agenda. Ricky Jones requested that item 4D be removed from the consent agenda due to a potential conflict of interest on his part.

**Motion** by Renate Caldwell to approve the Consent Agenda, as recommended by Staff, excluding Item No. 4D. The motion was seconded by Bob Goranson.

Yes: Jones, Parks, Caldwell, Goranson

No: None

**Motion Approved**

4A. PT03-125, DN03-186, Johanna Woods II preliminary plat, 5.01 acres, 15 lots, BAZ 1575, On Omaha Street, one-half mile east of 23<sup>rd</sup> Street (193<sup>rd</sup> East Avenue/County Line Road) Tulsa Engineering & Planning Associates, Inc. (Engineer). The applicant was present. This item was approved as recommended by Staff.

- 4B. PT03-114, DN03-146, R.C. Dickenson Family YMCA conditional final plat, 15.6 acres, 1 lot, 1001 South Garnett Road, one-half mile south of Houston (81<sup>st</sup>) Street on the east side of Garnett Road, Sack & Associates, (Engineer). The applicant was present. This item was approved as recommended by Staff.
- 4C. PT02-121/122, DN02-187, landscape plan for Greenbrier and Belle Trace subdivisions, one-third mile south of Dearborn (41<sup>st</sup>) Street on the east side of Aspen Avenue, Richard Conrad (Applicant). The applicant was not present. This item was approved as recommended by Staff.
- 4D. ST03-118, DN03-132, Oklahoma Office Systems landscape plan, 0.92 acres, I-1, PUD 44B, 1901 West Reno Street, Lot 3, Block 7, Greenway Business Park, Danny R. Mitchell (Applicant). The applicant was not present. This item was removed from the Consent Agenda.
- 4E. BAL 845, DN03-178, 5.65 acres, R-3, one-half mile south of Jasper (131<sup>st</sup>) Street, east side of Lynn Lane, Garye K and Patricia L. Myers (Applicant/Owners). The applicant was present. This item was approved as recommended by Staff.

5. **ITEMS REMOVED FROM CONSENT AGENDA**

Ricky Jones left his seat.

- 4D. ST03-118, DN03-132, Oklahoma Office Systems landscape plan, 0.92 acres, I-1, PUD 44B, 1901 West Reno Street, Lot 3, Block 7, Greenway Business Park, Danny R. Mitchell (Applicant). The applicant was not present. This item was removed from the Consent Agenda.

**Motion** by Bob Goranson to approve ST03-118, Oklahoma Office Systems landscape plan. The motion was seconded by Renate Caldwell.

Yes: Parks, Caldwell, Goranson

No: None

**Motion Approved**

Ricky Jones returned to his seat.

6. Public hearings:

- 6A. The Commission considered an amendment to Article IX of the Broken Arrow Zoning Ordinance, Sign Regulations. This was a public hearing opened and continued from 10/9/03 and 10/23/03. Bob Goranson opened the public hearing.

Al Jennings, 405 Kingsport, Broken Arrow, talked about how the proposed sign ordinance pertains to churches as well as businesses and related the experience of his church in obtaining a sign. He said the current sign ordinance is too restrictive.

Alan Taylor, 1109 South Willow Avenue, Broken Arrow, asked if garage sale signs larger than six square feet must be built by a licensed sign contractor and was told they would only need a permit, because these are temporary signs, per Section 2.2. Discussion followed regarding the restrictiveness of the ordinance in requiring a licensed sign contractor in changing the face of a sign. There was discussion on requiring electrical contractors to work on signs.

6A. continued

Ralph Farmer, 91<sup>st</sup> and Highway 51, Broken Arrow, expressed concerns regarding billboards installed on the Broken Arrow Expressway prior to the annexation of property next to the turnpike and asked that the square footage and setback of signs along the freeways not be restricted to the disadvantage of local businesses. He spoke in favor of bigger signs.

Jeremy Warren, 507 West Detroit Street, Broken Arrow, said he disagreed with the exemption of election signs from the permit requirement and asked that the word "election" be stricken from Paragraph 'H' on page 6. Discussion followed.

April Parnell said garage sale signs come under banner, mobile or temporary signs and doesn't see that a licensed sign contractor is required. Discussion followed regarding Section 4.1, Electrical sign contractors and page 11, Section B, which requires a licensed sign contractor.

Bob Goranson asked Ricky Jones, as a member of the Sign Committee, to clarify how that language came to be in the ordinance. Ricky Jones said the intent was that the current sign ordinance did not specify that wiring had to be done by a licensed contractor and certain wiring needs to be done by a licensed electrician. Bob Goranson asked if the wording could be amended to that effect. Discussion followed and Alan Taylor talked about a sign he is changing the face of in Tulsa, where a licensed electrical contractor is required to do this work.

Ralph Sigler, 11905 South Juniper Court, Jenks, said the ordinance provision was not intended to prohibit non-electricians from working on signs. However, according to the NEC Code taking the face from a sign is entering an electrical area. He explained the possible danger of working on an electrical sign and said he agreed with the Tulsa requirement and said this is a safety issue. Discussion followed and Mr. Sigler said a statement should be in the code that banners need to stay current with any code that applies to where the banner would sit, such as neighborhood entrances which allow 32 feet on opposing sides. Bob Goranson asked if Mr. Sigler could get together with staff and cover this issue in the sign ordinance.

April Parnell said she does not read the ordinance to mean that a permit is needed if a temporary sign is larger than six square feet. Discussion followed. Brent Murphy said permit requirements for banners, temporary signs, mobile signs are in Section 2. Discussion followed.

Ron Whitaker, 3809 West Vandalia, Broken Arrow, passed out copies of statistics related to per capita income, educational level and development comparisons between Tulsa and Broken Arrow and said Broken Arrow is a progressive city. He talked about comparisons in sign requirements in various other cities and Broken Arrow. He thanked the Commission for their time. Ricky Jones talked about allowing signs in utility easements.

Sue Whitaker, 3809 West Vandalia, Broken Arrow, thanked the Commission and Staff for their time and said signs by non-profit organizations are not addressed in the proposed ordinance and that is needed. She asked that due diligence be continued in regard to what is best for small business, as well as the citizens.

Bob Goranson said Staff can look at the banner sign issue.

Renate Caldwell said she had a problem with temporary signs such as those in front of Wal Mart, and said she would like temporary signs to remain for ten days rather than 30 days with renewal possible four times annually. Discussion followed.

6A. continued

Bob Goranson closed the public hearing.

The Commission discussed the appropriate length of time for temporary banners to remain and 14 days, four times annually was agreed upon.

Johnnie Parks said he is pleased with the present draft ordinance, that this ordinance talks about 20-foot signs, back 25-feet and that is not too much.

Johnnie Parks said he is concerned that monument signs may detract from the landscaping requirements in place. He said he agrees with the 35-foot turnpike signs agreed on by the Commission at the last meeting.

Bob Goranson said he is in agreement with everything but signs in utility easements. Discussion followed. Allen Stanton said the signs are prohibited where the utility easement contains a water or sewer line in it. He said within public utility easements, signs are negotiable. Bob Goranson asked about fiber optic lines and Allen Stanton said they were considered utilities. Discussion followed regarding the impact of signs in utility easements and enforcement issues.

Ricky Jones said the Sign Committee recommended 25-foot and he thought that was still valid and he still supported 25-foot height of signs.

Bob Goranson said he thought a happy medium has been reached. Discussion followed.

**Motion** by Bob Goranson to accept the latest draft ordinance as presented at this meeting, except for changing 30 days in Section 2, "Banners, mobile or temporary signs" to 14 days and inserting the note in Section 4.1 that for the permit requirements for banners, mobile or temporary signs, see Section 2. Section 2 has the permit requirements for temporary and mobile signs. The motion was seconded by Johnnie Parks.

Yes: Parks, Caldwell, Goranson

No: Jones

**Motion Approved**

Bob Goranson said the proposed sign ordinance will be forwarded to the City Council to be heard in their meeting of November 17, 2003.

7. The Commission considered Tulsa County Referral lot split application, L-19597, 12324 East 131<sup>st</sup> Street, approximately one-third mile west of Olive Avenue on the south side of Jasper Street, Herbert A. Molyneux (Applicant). Farhad Daroga said the applicant wishes to split his property and that Staff recommends approval with the conditions that the street right-of-way on Jasper be dedicated. The applicant was not present. There were no protestants.

**Motion** by Ricky Jones to recommend approval of L-19597 as recommended by Staff. The motion was seconded by Johnnie Parks.

Yes: Jones, Parks, Caldwell, Goranson

No: None

**Motion Approved**

- 6B. The Commission considered an amendment to Article VI, Section 6 (R-4), Section 7 (R-5), pertaining to side yards for single-family detached residences. This was a public hearing opened and continued from 10/9/03 and 10/23/03. Farhad Daroga said this matter relates to five-foot side yards. He said at the last Planning Commission meeting, the Planning Commission forwarded to the City Council a recommendation to create a new zoning category, R-3S, that will allow five-foot and five-foot side yards. He said this item relates to Section No. 6, 7, and 8, which would allow five-foot and five-foot side yards for detached single-family dwellings only in R-4, R-5 and R-6 zoning districts.

Ricky Jones said using ten and 15-feet for side yards cuts down the usable area in the small lots. Farhad Daroga said the other question Staff brought out at the last meeting was that as the new zoning category, R-3S, was created, the intent was that existing subdivisions would not be impacted by that change. He asked if the Commission wishes to create R-4S, R-5S and R-6S categories, or keep the same categories. The Commission discussed whether there would be a great demand for five-foot and five-foot side yards in R-4, 5, and 6 districts and Farhad Daroga reviewed their history. The Commission agreed that they did not want to create more zoning categories.

Farhad Daroga said the Commission could recommend that Staff amend Article VI, Section Nos. 6 and 7, allowing the existing ordinance language, citing 15-foot side yards to be changed to ten. He said that will keep one category, R-4, one category R-5 and allow five-foot and five-foot side yards. Brent Murphy asked if this included R-6 and Farhad Daroga said it did.

There were no protestants nor others present.

**Motion** by Ricky Jones to recommend approval of to change side yards in the R-4, R-5 and R-6 zoning categories from 15-feet (total) to ten-feet (total) to apply only to detached single-family homes. The motion was seconded by Johnnie Parks.

Yes: Jones, Parks, Caldwell

No: Goranson

**Motion Approved**

8. The Commission discussed a proposal to consider an amendment to the Article IV of the Zoning Ordinance, Permitted Uses in zoning districts, by allowing "Electronic Assembly" in the C-1, C-1P, C-2, C-3, C-5, I-S, I-1 and I-2 zoning districts. Brent Murphy presented the background, saying CEI, a company with I-1 zoning, under a PUD, and a category called "Electronic Manufacturing" with the appropriate setbacks. He said this will not allow them to expand their building. Creation of a category "Electronic Assembly" would allow assembly of parts only by CEI and other companies. Staff recommends the Commission direct scheduling of a public hearing to consider creation of a category to be called "Electronic Assembly," in the C-1, C-1P, C-2, C-3, C-5, I-S, I-1 and I-2 zoning districts.

Bob Goranson asked if Electronic Manufacturing will remain in the Code and Brent Murphy said it would. Johnnie Parks asked if most of the companies in Broken Arrow would fall under the new category. Brent Murphy said he wasn't sure. Discussion followed.

Jason Farqay, 18214 East 11<sup>th</sup>, Tulsa, President and owner of CEI, said this would help his company to expand and outlined his future plans. Bob Goranson asked what is the fine line between electronic assembly and electrical manufacture. Farhad Daroga talked about the differences, agreeing that it was a fine line.

9. **DISCUSSION ITEMS**

None.

10. **REMARKS, INQUIRIES AND COMMENTS BY PLANNING COMMISSION AND STAFF**  
**NO ACTION**

None.

11. **Motion** by Ricky Jones at 6:37 p.m. to adjourn. The motion was seconded by Johnnie Parks.  
Yes: Jones, Parks, Caldwell, Goranson  
No: None  
**Motion approved**